

Message Text

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ACTION DLOS-09

INFO OCT-01 IO-14 ISO-00 ACDA-10 AGRE-00 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 EPG-02 COME-00 DODE-00

DOTE-00 EB-07 EPA-04 ERDA-07 FEAE-00 FMC-02

TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-02 OES-07 OMB-01 PA-02 PM-04 PRS-01

SP-02 SS-15 USIA-15 AF-10 ARA-10 EA-09 EUR-12

NEA-10 OIC-02 /187 W

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R 021519Z JUN 77

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TO SECSTATE WASHDC 3846

UNCLAS SECTION 1 OF 2 USUN 1745

DEPARTMENT PASS ALL DIPLOMATIC POSTS

FROM LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS CONFERENCE: WEEKLY REPORT MAY 23-27

1. SUMMARY: CONFERENCE CONFIRMED DECISION TO DEVOTE FIRST THREE WEEKS TO COMMITTEE I PROBLEMS. CONSOLIDATED TEXT OF ENTIRE CONVENTION PREPARED BY CONFERENCE PRESIDENT IN CONSULTATION WITH COMMITTEE CHAIRMEN AND RAPPORTEUR GENERAL IS CONTEMPLATED TOWARD END OF SESSION. COMMITTEE I CHAIRMAN ENGO (CMAEROUN) ESTABLISHED A WORKING GROUP UNDER MINISTER JENS EVENSEN OF NORWAY. SUBSTANTIVE DISCUSSIONS COMMENCED WITH ARTICLE 9 (RESOURCE POLICY) REVEALING STRONG EFFORT BY LAND-BASED PRODUCERS TO IMPOSE FAR GREATER PRODUCTION LIMITATIONS THEN CONTAINED IN RSNT ARTICLE 9. US INDICATED RSNT ARTICLE 9 IS ITSELF A COMPROMISE, AND THAT WE COULD NOT GO ALONG WITH EXTREME RESTRICTIONS PROPOSED BY GROUP OF 77

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AND MINISTER EVENSEN. EFFORT OF LANDLOCKED AND GEO-GRAPHICALLY DISADVANTAGED STATES TO COMMENCE PARALLEL DISCUSSIONS OF COMMITTEE II ISSUES OF CONCERN TO THEM MET WITH SOME COASTAL STATE OPPOSITION. US DEL HAS INITIATED EXTENSIVE PRIVATE CONTACTS ON STATUS OF ECONOMIC ZONE AND SCIENTIFIC RESEARCH ISSUES.

END SUMMARY.

2. COMMITTEE I: A. THE FIRST WEEK OF COMMITTEE I DELIBERATIONS ON DEEP SEABEDS WAS MARKED BY SHARP DEBATE OVER RESOURCES POLICY ISSUES (ARTICLE 9). THREE ALTERNATE FORMULATIONS WERE CONSIDERED: A G-77 VERSION, WHICH RECEIVED THE WIDEST DELEGATE SUPPORT, THE REVISED SINGLE NEGOTIATING TEXT (RSNT), AND MINISTER EVENSEN'S (NORWAY) COMPROMISE TEXT. THE G-77 LED BY PERU AND CHILE, INTRODUCED A NEW ARTICLE 9 TEXT (VIRTUALLY THE SAME AS ONE DRAFTED IN THE FALL, 1976 SESSION). THE G-77 TEXT GOES WELL BEYOND THE RSNT IN REQUIRING THE AUTHORITY TO INSURE" TECHNOLOGY TRANSFER, REMUNERATIVE MINERAL PRICES TO PRODUCERS, RATIONAL MANAGEMENT OF THE SEABED AND THE PROTECTION OF DEVELOPING COUNTRIES FROM "ANY" ADVERSE ECONOMIC EFFECTS OF SEABED MINING. IN ADDITION, IT IMPOSES MORE RESTRICTIVE PRODUCTION LIMITATIONS WHICH WOULD APPLY, NOT ONLY TO MANGANESE NODULES, BUT ALSO TO OTHER MINERALS THAT MIGHT BE EXPLOITED. BESIDES THE PARADE OF DEVELOPING COUNTRIES ENCOURAGEMENT (INCLUDING PRC, INDONESIA, CUBA, MAURITIUS, ROMANIA, IRAQ). THE G-77 TEXT RECEIVED NOTABLE PLAUDITES, IF NOT FULL SUPPORT, FROM THE SOVIET UNION AND CANADA, BOTH OF WHICH HAVE CONSIDERABLE LAND RESOURCES OF NICKEL. THE SOVIETS SUGGESTED SEVERAL ADDITIONS TO THE G-77 TEXT, INCLUDING AN ANTI-MONOPY CLAUSE, STATE QUOTAS, AND PROHIBITION OF EXPORT OF SEABED MINERALS.

B. THE U.S. (RICHARDSON), REGRETTING "THE NEED TO SOUND A DISCORDANT NOTE" SAID : (A) THE LOS CONFERENCE UNCLASSIFIED

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IS NOT A FORUM FOR NEGOTIATING COMMODITY AGREEMENTS, CONTRARY TO THE INTENT OF THE G-77 PROPOSALS ON ARTICLE 9; (B) THE RSNT TEXT OF ARTICLE 9 ALREADY REFLECTS A MAJOR SET OF COMPROMISES FOR THE U.S.; (C) THE EVENSEN AND G-77 TEXTS WOULD GIVE THE AUTHORITY NEW DISCRETIONARY POWER WHICH WOULD UNDERMINE THE SYSTEM OF EXPLOITATION. RICHARDSON ALSO CITED CALCULATIONS WHICH DEMONSTRATE THAT THE PRODUCTION LIMITS IN BOTH TEXTS WOULD SEVERELY CONSTRAIN SEABED MINING. FOR EXAMPLE, THE G-77 PRODUCTION LIMIT (IF READ LITERALLY) WOULD ALLOW AT MOST TWO MINE SITES BY THE YEAR 2000; (D) IT WOULD REGRETABLE IF THE NARROW INTERESTS OF SOME PREVENT THE CONFERENCE FROM ACHIEVING ITS BROADER OBJECTIVES OF A DEEP SEABED REGIME. THE UK, (LOGAL) AND FRANCE (LACHARRIERE) ALSO DELIVERED STRONG INTERVENTIONS, REJECTING BOTH THE EVENSEN AND THE G-77 TEXTS. THE SWEDISH INTERVENTION ALSO WARNED THAT THE G-77 PRODUCTION FORMULA WAS OVERLY RESTRICTIVE.

NOTE BY OC/T: NOT PASSED ALL DIPLOMATIC POSTS.

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FROM LOS DEL

C. IN RESPONSE, THE G-77 SPOKESMAN INSISTED THAT THEY HAD NOT INTENDED TO "STRANGLE" SEABED MINING, BUT THEY ATTACKED THE RSNT AND EVENSEN TEXTS FOR NOT PROVIDING ADEQUATE PROTECTION TO PRODUCTION TO LAND-BASED PRODUCERS. SINGAPORE (KOH) AND THE NETHERLANDS (SONDAAL) TRIED TO BRIDGE THE GAP ON ARTICLE 9 WITH CONSILITORY INTERVENTIONS. NEVERTHELESS, WIDE DIFFERENCES REMAINED AFTER TWO AND A HALF DAYS OF DEBATE, WINDING UP ON MAY 31. THE G-77 DID ADMIT A DRAFTING ERROR IN THEIR PRODUCTION LIMITATION PROPOSAL.

3. COMMITTEE II - COMMITTEE II DID NOT MEET DURING THE FIRST WEEK OF THE CONFERENCE, FORMALLY OR INFORMALLY, TO PERMIT THE MAXIMUM ATTENTION TO BE PAID TO FIRST COMMITTEE MATTERS. THE LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES ASKED TO HOLD MEETINGS OF THE CONTACT GROUP (OF 21) BETWEEN THE LL/GDS AND COASTAL STATES, BUT THE FACT THAT SOME COASTAL STATE DELEGATIONS

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HAD POSTPONED THE ARRIVAL OF COMMITTEE II PERSONNEL, MADE THIS DIFFICULT. GROUP OF 21 WILL PROBABLY COMMENCE MEETINGS END OF WEEK MAY 30. US DEL HAS USED AVAILABLE TIME TO CONTACT SELECTED DELS ON COMMITTEE II ISSUES, PARTICULARLY WITH REGARD TO THE NEED TO CHANGE ARTICLE 75 (STATUS OF THE ECONOMIC ZONE), TO THE EFFECT THAT, WITHOUT PREJUDICE TO THE RIGHTS OF THE COASTAL STATE SPECIFIED IN THE CONVENTION, THE ECONOMIC ZONE IS INCLUDED IN THE DEFINITION OF THE HIGH SEAS.

4. COMMITTEE III-- NO FORMAL OR INFORMAL MEETINGS OF COMMITTEE III TOOK PLACE DURING THE FIRST WEEK. COMMITTEE III CHAIRMAN ALEXANDER YANKOV (BULGARIA) WAS SCHEDULED TO ARRIVE EARLY IN THE SECOND WEEK.

5. DISPUTE SETTLEMENT - THE FIRST MEETING OF THE INFORMAL PLENARY ON DISPUTE SETTLEMENT WILL BE HELD ON THURSDAY, JUNE 2. IN THE MEANTIME, THE PRESIDENT OF THE CONFERENCE HAS CONDUCTED INFORMAL CONSULTATIONS, ON A BILATERAL BASIS, WITH A DOZEN DELEGATIONS. THERE WERE ALSO SEVERAL MEETINGS OF THE CONTACT GROUP OF THE GROUP OF 77 ON THE SETTLEMENT OF DISPUTES. CONGRESSMEN BERKLEY BUDELL, HAMILTON FISH, BENJAMIN GILMA AND PAUL MCCLOSKEY, JR. VISITED THE CONFERENCE DURING THE WEEK. THE CONGRESSMEN SPENT THEIR VISITS PRIMARILY DISCUSSING COMMITTEE I ISSUES AND CONGRESSIONAL ATTITUDES WITH FOREIGN DELEGATES. YOUNG

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